

Southern Communications Services, Inc., d/b/a Southern LINC

In the Matter of Improving Public Safety Communications in the 800 MHz Band, WT Docket No. 02-55

Ex Parte Presentation - July 18, 2003

- I. Southern LINC believes Public Safety interference can be mitigated quickly and effectively with technical solutions.**
- A. Southern is concerned with resolving interference to Public Safety licensees.
- Southern understands Public Safety's needs; many of its customers are Public Safety and quasi-Public Safety entities.
- B. Although not a causer of Public Safety interference, Southern has put significant resources into determining means of mitigating it.
1. Southern was an early developer/proponent of alternatives to the Consensus Plan that focus on "best practices" and technical solutions.
 2. Southern is signatory to the Balanced Approach.
- II. FCC should *not* adopt Consensus Plan.**
- A. The Consensus Plan contemplates a solution that would impact *all* 800 MHz licensees, but Public Safety interference is a local issue.
- It makes no sense to impact all 800 MHz licensees to fix problems that are occurring only in certain discrete areas.
- B. The Consensus Plan would harm competition in dispatch sector.
1. Southern LINC, Nextel's largest competitor for dispatch, would be detrimentally impacted.
- Southern LINC would be required to relocate and exchange licenses for less valuable spectrum.
 - For example, Southern LINC paid approximately \$50 million at auction for 800 MHz General Category spectrum, which it would have to exchange for spectrum purchased by Nextel.

- Southern LINC would be left in a non-contiguous portion of the 800 MHz band below 861 MHz and would be subject to significant technical and operating restrictions.
 - In the non-CMRS portion of the 800 MHz band, Southern would be denied the flexible operating rules proposed exclusively for the commercial operations of Nextel above 861 MHz.
2. Other dispatch providers could be detrimentally impacted.
 - Many would be required to relocate.
 - Many would likely lose subscribers due to relocation.
 3. The Consensus Plan is overly complex, underfunded, and legally infirm.

III. FCC should adopt Balanced Approach.

- A. Balanced Approach focuses on local solutions.
 1. Public Safety Interference does not exist everywhere.
 2. Local solutions will immediately begin mitigating interference.
 - Proposed Balanced Approach includes both measures to reduce the likelihood of interference before operations begin and rapid response any time an interference problem is identified.
 3. Responsibility should lie with interference-causer.
 - Local solutions require only interference-causing licensees to incur burden and expense of remediation.

IV. If FCC adopts a Rebanding Plan, CMRS competitors must be treated equally.

- A. If FCC grants Nextel blocks of contiguous spectrum through rebanding, regulatory parity requires that Southern be provided with a similar allocation.
- B. Southern LINC's allocation should be subject to the same operational and technical rules as Nextel's allocation.